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JC355 U.S. PTO

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09/901949  
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Attorney Docket No.: PATENT  
NEI-00106

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BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Anticipated Classification of this Application:  
Class: \_\_\_\_\_ Subclass: \_\_\_\_\_  
Prior Application: 09/097,966  
Examiner: F. Varcoe, Jr.  
Art Unit: 1764

TRANSMITTAL OF FILING UNDER 37 C.F.R. § 1.53(b)

Sir:

This is a request for filing a Continuation application under 37 C.F.R. § 1.53(b), of pending prior application Serial No. 09/097,966 filed on June 16, 1998, of Gary R. McLuen et al. for MULTI-WELL ROTARY SYNTHESIZER

CERTIFICATION UNDER 37 § 1.10

I hereby certify that this new application and the document referred to as enclosed herein are being deposited with the United States Postal Service on this date July 9, 2001, in an envelope bearing "Express Mail Post Office to Addressee" Mailing Label Number EL703160218US addressed to: **BOX PATENT APPLICATION**, Assistant Commissioner for Patents, Washington, D.C. 20231.

Juan Rascon  
(Name of Person Mailing Paper)

Juan D. Rascon  
Signature

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the oath or declaration originally filed. The copy of the papers of prior application as filed which are attached are as follows: 17 page(s) of specification; 8 page(s) of claims; 1 page(s) of abstract; 2 sheet(s) of drawings; The originally signed documents: 1 page(s) of Declaration, 1 page(s) of Power of Attorney By Assignee, and Assignment, including form PTO-1595 were filed as Response to Notice to File Missing Parts of Application on September 1, 1998.

2. Amendments

- ☒ Cancel in this application original claims 21 and 24-34 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
- ☒ A preliminary amendment is enclosed, including changes to the specification, claims, remarks, and 7 sheets of formal drawings as substitute sheets for the informal drawings submitted in the patent application.

3. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS FILED			
	Number Filed	Number Extra	Basic Fee (37 C.F.R. § 1.16(a))
			710.00
Total Claims (37 C.F.R. § 1.16(c))	26 - 20 =	6	\$18.00 108.00
Independent Claims (37 C.F.R. § 1.16(b))	4 - 3 =	1	\$80.00 80.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$260.00 0.00
		Filing Fee Calculation	898.00
Other Fees			
<input checked="" type="checkbox"/> Assignment Recordation Fee			40.00
		Total Fee	938.00

4. Drawings

7 Sheets of drawings are enclosed.

X Formal.

5. Relate Back-35 U.S.C. § 120

X The specification has been amended by inserting before the first line the sentence:

--This Patent Application is a continuation of co-pending U.S. Patent Application Serial No. 09/097,966, filed on June 16, 1998 and entitled **MULTI-WELL ROTARY SYNTHESIZER**--

6. Inventorship Statement

(a) With respect to the prior co-pending U.S. application from which this application claims benefit under 35 U.S.C. § 120 the inventor(s) in this application is (are):

X the same.

(b) The inventorship for all the claims in this application is:

X the same.

7. Fee Payment Being Made At This Time

X Enclosed.

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Total Fees Enclosed \$938.00

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8. Method of Payment of Fees

X Enclosed is a check in the amount of \$ 938.00 (\$898.00 for the filing fee plus \$40.00 for the Assignment Recordation Fee.)

9. Authorization To Charge Additional Fees

X The Commissioner is hereby authorized to charge any fees or credit any overpayment during the pendency of this application to Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

10. Power of Attorney

X The power of attorney in the prior application is to: Jonathan O. Owens HAVERSTOCK & OWENS LLP, 260 Sheridan Avenue, Suite 420, Palo Alto, CA 94306.

a. X The power appears in the original papers as filed on September 1, 1998. A copy is attached.

b. X Address all future communications to:  
HAVERSTOCK & OWENS LLP  
ATTN: Jonathan O. Owens  
260 Sheridan Avenue, Suite 420  
Palo Alto, CA 94306

11. Maintenance of Codependency of Prior Application

X This application is a continuation of co-pending Serial No. 09/097,966 filed on June 16, 1998.

12. X Incorporation by Reference

The entire disclosure of the prior application(s), from which a copy of the oath of declaration is supplied under Box 1, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: July 9, 2001

By: Jonathan O. Owens  
Name: Jonathan O. Owens  
Registration No.: 37,902